

Churches, &c. (Ireland) Sites Bill.

ARRANGEMENT OF CLAUSES.

Clauses.

1. Publication in newspapers of intended application.
2. Notice to owners, &c.
3. Deposit of petition with clerk of union.
4. Guardians to forward petition to Local Government Board.
5. Petition to be considered by Local Government Board, who may direct a local inquiry.
6. Notice may be given before November and December.
7. Orders by Board.
8. Purchase of lands.
9. Incorporation of 14 Vict. c. 28.
10. Limit of quantity of land to be purchased.
11. Exemption of manor houses, &c.
12. Incorporation of Lands Clauses Consolidation Acts.
13. Local Government Board may make rules for carrying Act into execution.
14. Act to apply to Ireland only.
15. Short title.
16. Commencement of Act.

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B I L L

TO

Facilitate the acquiring of Sites for Churches and Schools, A.D. 1888.
and for Residences for Clergymen and School Teachers in
Ireland.

WHEREAS by an Act passed in the nineteenth year of the reign of the Queen, intituled "The Leasing Powers Act for Religious Worship in Ireland, 1855," tenants for life and other persons having limited interests in land were entitled to make leases to enable congregations of persons not belonging to the Established Church of Ireland to erect suitable buildings for religious worship and for the residence of their clergymen, ministers, and pastors, and school houses for the education of their children:

And whereas difficulties have been experienced in obtaining leases under such Act, and it is desirable to enable all recognised religious congregations to purchase lands for the purposes aforesaid and for the obtaining of residences for schoolmasters for all schools in Ireland:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Any persons intending to apply under this Act for authority to purchase lands for the following purposes:

- 20 (a.) A site for a church or chapel or place of worship for any religious congregation:
- (b.) A site for the erection of a school or schools and school accommodation therewith:
- (c.) Lands for the residence of a teacher attached to any school:
- 25 (d.) Lands for the residence for any clergyman, minister, or pastor,

shall once at least in each of three consecutive weeks in the month of November in some newspaper or newspapers circulating in the poor law union in which the lands are situated, publish an advertisement describing shortly the purposes in respect of

[Bill 48.]

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*Publication
in news-
papers of
intended
application.*

A.D. 1888.

which the lands are proposed to be taken, naming a place where a map of the lands proposed to be taken can be seen at all reasonable hours, and stating the denominations and quantity of lands they require.

Such persons are herein-after called the trustees, and their number shall not be less than three.

Notice to
owners, &c.

2. The trustees shall serve a notice in the month of December on every owner or reputed owner, lessees or reputed lessees of such lands, defining in each case the particular lands intended to be taken, and requiring an answer stating whether the person so served dissents or is neutral in respect of the taking of such lands.

Deposit of
petition with
clerk of
union.

3. On compliance with the provisions of the previous sections with respect to advertisements and notices, and not sooner than fifteen days or later than thirty days after the service of the last-mentioned notices, the trustees may, if they think fit, deposit with the clerk of the poor law union in which the lands proposed to be taken are situated.—

1. A petition addressed to the Local Government Board. The petition shall state the lands intended to be taken, and the purposes for which they are required, and the names of the owners, lessees, and occupiers of lands who have assented, dissented, or are neutral in respect of the taking of such lands, or who have returned no answer to the notice, and that the trustees have failed to obtain such lands by voluntary agreement; it shall pray that the trustees, with reference to such lands, be allowed to put in force the powers of the Lands Clauses Act with respect to the purchase and taking of lands otherwise than by agreement. Such petition shall be signed by all the trustees, and one hundred persons assessed for relief of the poor in the poor law union in which such lands are situated shall sign same as assenting to the petition:

2. Copies of the advertisements published by the trustees:
3. A published map to a scale of not less than six inches to a mile, showing the lands proposed to be taken:
4. An estimate of the buildings proposed to be erected (if any) on such lands, signed by the persons who made the same:
5. Lists of the owners and others to whom the trustees have given such notice as is heretofore required.

Guardians
to forward
petition to

4. The board of guardians, within one month of the receipt of such petition, shall forward same, with the maps and other docu-

ments herein-before required to be deposited, to the Local Government Board. The board of guardians may, if they think fit, certify in writing under their seal to the Local Government Board a recommendation that the prayer of the petition be acceded to or refused, or that it be granted with some modification.

A.D. 1888.

Local Government Board.

5. On the receipt of such petition, and on due proof of the proper advertisements having been published and notices served, the Local Government Board shall take such petition into consideration, and may either dismiss the same or direct a local inquiry as to the propriety of assenting to the prayer of such petition, but until such inquiry shall be made no order shall be made affecting any lands without the consent of the owners, lessees, or occupiers thereof. The Local Government Board, previous to the instituting such inquiry, may direct a reasonable sum to be deposited with them, not in any case exceeding *fifty pounds*, to cover the expense of such inquiry. After the completion of such inquiry the Local Government Board may by order empower the trustees to purchase such lands or any portion of the same, and may empower the trustees to put in force, with reference to the lands referred to in such order, the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them, and either absolutely or with such conditions or modifications as the Local Government Board may think fit; and it shall be the duty of the trustees to serve a copy of any order so made in the manner, and on the persons in which and on whom notices in respect of such lands are required to be served.

Petition to be considered by Local Government Board, who may direct a local inquiry.

6. The notices by this section required to be given in the months of November and December, may be given in the months of September and October, or October and November, but in either of such last-mentioned cases an inquiry preliminary to the Provisional Order to which such notices refer shall not be held until the expiration of one month from the last day of the second of the two months in which such notices are given; and any notices or orders by this Act required to be served on a number of persons having any right in, over, or on lands in common may be served on any three or more of such persons on behalf of all such persons.

Notices may be given before November and December.

7. With respect to orders made by the Local Government Board under this Act, the following provisions shall apply:

Orders by Board.

1. The Local Government Board shall not make any order under this Act, unless public notice of the purport of the proposed order has been previously given by advertisement in two

A.D. 1888.

successive weeks in some newspapers or newspaper circulating in the poor law union to which such order relates :

2. Before making any such order, the Local Government Board shall consider any objections which may be made thereto by any persons affected thereby, and, where a local inquiry is applicable, shall cause to be made a local inquiry, of which public notice shall be given in manner aforesaid, and at which all persons interested shall be permitted to attend and make objections :
3. The making of an order shall be conclusive evidence that all the requirements of this Act in respect of proceedings required to be taken previously to the making of such order have been complied with.

Purchase of
lands.

8. On the making of such order, the trustees shall be empowered forthwith to purchase the lands described therein under the provisions of the Lands Clauses Acts, and shall hold same for the purposes and on the trusts set forth in such order.

Incorporation of
14 Vict.
c. 28.

9. There shall be incorporated with this Act an Act passed in the fourteenth year of the reign of the Queen, chapter twenty-eight, intitled "An Act to render more simple and effectual " the titles by which congregations or societies for the purposes of " religious worship or education in England and Ireland hold " property for such purposes."

Limit of
quantity of
land to be
purchased.

10. The quantity of land which may be purchased by the trustees under this Act shall not exceed in the whole two acres for the site of a place of worship for any congregation of persons, and five acres for the residence of their clergyman, minister, or pastors, two acres for the erection of a school or schools and school accommodation in connexion therewith, and three acres for the residence of a school-master attached to a school.

Exemption
of minor
houses, &c.

11. Nothing in this Act or any order under it shall be deemed to authorise to be taken for the purposes of this Act any mansion-house or house wholly built of stone or brick with lime, or any of the outbuildings or offices thereof, or any part of any yard, haggard, garden, orchard, or plantation attached or belonging thereto, or any part of any deer park or other park or demesne or planted or ornamental walk, drive, approach, or avenue, or of any ground ornamentally planted, or of any lawn or bleach green.

Nor shall land be taken for any school within half a statute mile of the residence of the owner from whom such land is purchased under this Act without the consent in writing of such owner, unless in a town of over one thousand inhabitants.

Nor shall land be purchased under this Act for a school within one mile of any existing school, unless in a town of over two thousand inhabitants.

A.D. 1888.

12. The Lands Clauses Acts shall be incorporated with this Act, except the provisions relating to the access of the special Act. In the construction of such Acts in connexion with any such order, the expression the "special Act" used in the said Acts shall be taken to apply to any such order. The expression "company" in the said Acts shall mean the trustees mentioned in this Act.

Incorporation of Lands Clauses Consolidation Acts.

Sections two hundred and sixty-five, two hundred and sixty-six, and two hundred and sixty-seven of the Public Health (Ireland) Act, 1877, regulating notices, shall be incorporated with this Act.

The Leasing Powers Act for Religious Worship in Ireland, 1855, shall be incorporated with this Act, and section five of such Act shall be read as authorising any lease to be made of any quantity of land not exceeding five acres for a site for the residence of a schoolmaster attached to any school in Ireland.

13. The Local Government Board may from time to time make, and when made may rescind, annul, or add to rules and forms and directions as to the mode in which this Act may be carried into execution.

Local Government Board may make rules for carrying Act into execution.

14. This Act shall extend only to Ireland.

Act to apply to Ireland only.

15. This Act may be cited as the Purchase of Sites (Ireland) Act, 1888.

Short title.

16. This Act shall come into operation on the day of

day Commencement of Act.

Churches, &c. (Ireland)
Sites.

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B I L L

To facilitate the acquiring of Sites for
Churches and Schools, and for Resi-
dences for Clergymen and School
Teachers in Ireland.

*(Proposed and brought in by
Mr. Peter McDonald, Dublin School,
Mr. Magan, Mr. Byrne, and Mr. Jordan.)*

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[Table 1 of 1 Page 1A.]

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